UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:10-cy-260-FDW-DSC

SHIRLEY R. HARDIN,)
Plaintiff,)
vs.) ORDEI
FRANCIS KATEH, and ANSON COUNTY)
HEALTH DEPARTMENT)
Defendants.)

THIS MATTER is before the Court *sua sponte* following the conversion of Plaintiff's Sur-Response in opposition to Defendants' Motion to Dismiss into an Amended Complaint. (Doc. No. 27). On March 8, 2011, Defendants filed an Answer to the Amended Complaint (Doc. No. 29).

It is well-settled that an amended pleading supersedes the original pleading, and that motions directed at the superseded pleadings are to be denied as moot. See generally Young v. City of Mount Rainier, 238 F.3d 567, 573 (4th Cir. 2001) (amended pleadings renders original pleading of no effect); Colin v. Marconi Commerce Sys. Emp.'s Ret. Plan, 335 F. Supp. 2d 590, 614 (M.D.N.C. 2004); Turner v. Knight, 192 F. Supp. 2d 391, 397 (D. Md. 2002).

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss pursuant to Rule 12(b)(1) for lack of subject matter jurisdiction is DENIED as moot.

Defendants may renew their motion at any time.

IT IS SO ORDERED.

Signed: March 10, 2011

Frank D. Whitney

United States District Judge

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